

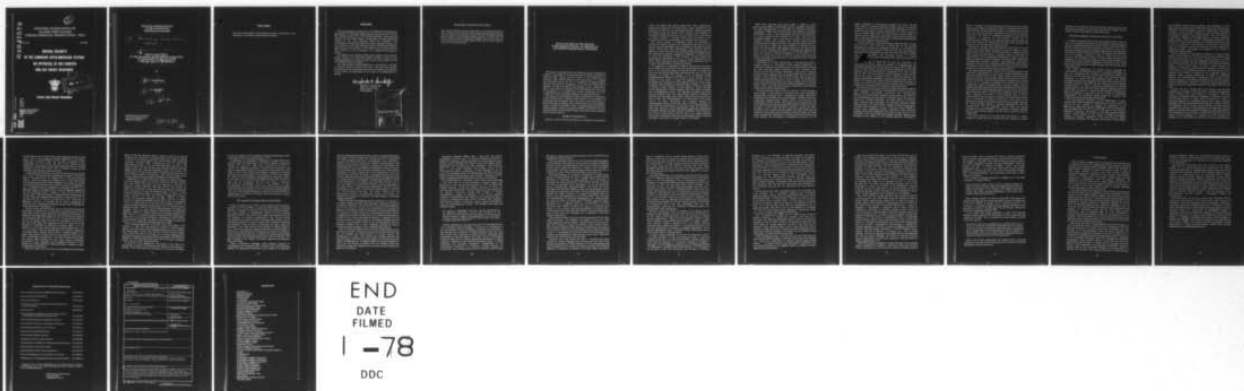
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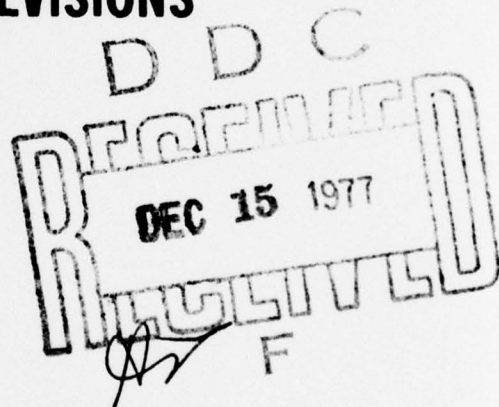
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**MUTUAL SECURITY
IN THE CHANGING INTER-AMERICAN SYSTEM:
AN APPRAISAL OF OAS CHARTER
AND RIO TREATY REVISIONS**



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MUTUAL SECURITY
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AND RIO TREATY REVISIONS.

by

10 G. Pope/Atkins

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FOREWORD

This memorandum was presented at the Military Policy Symposium sponsored by the Strategic Studies Institute and held at the US Army War College in early 1977. Under the general theme "Inter-American Security and the United States," a broad range of issues affecting US relations in the Latin American region were addressed. This memorandum concerns inter-American security principles and practices as provided for in the Inter-American Treaty of Reciprocal Assistance (Rio Treaty) and the Charter of the Organization of American States (OAS Charter), in the environment of a changing Inter-American System.

The Military Issues Research Memoranda program of the Strategic Studies Institute, US Army War College, provides a forum for the timely dissemination of analytical papers such as those presented at the 1977 Military Policy Symposium.

This memorandum is being published as a contribution to the field of national security research and study. The data and opinions presented are those of the author and in no way imply the endorsement of the College, the Department of the Army, or the Department of Defense.

DeWitt C. Smith, Jr.

DeWITT C. SMITH, JR.
Major General, USA
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BIOGRAPHICAL SKETCH OF THE AUTHOR

DR. G. POPE ATKINS joined the civilian faculty of the US Naval Academy in 1966. He earned master's and doctoral degrees in international relations from The American University, and has been a guest scholar at the Brookings Institution and the Institute of Latin American Studies, University of London. He is the author of *Latin America in the International Political System* (1977), coauthor of *The United States and the Trujillo Regime* (1972), and has written numerous articles on Latin American politics.

MUTUAL SECURITY IN THE CHANGING INTER-AMERICAN SYSTEM: AN APPRAISAL OF OAS CHARTER AND RIO TREATY REVISIONS

This paper is concerned with inter-American security principles and practices, as provided for in the Inter-American Treaty of Reciprocal Assistance (Rio Treaty) and the Charter of the Organization of American States (OAS Charter), in the environment of a changing Inter-American System. In 1975 a Conference of Plenipotentiaries approved a Protocol of Amendment to the 1947 Rio Treaty that, if adopted, will alter the basis for inter-American security collaboration. Only 5 years earlier, the members of the OAS had put into effect a set of amendments to the 1948 Charter; further amendments are under consideration, with considerable relevance to security cooperation.

The process of continuing Rio Treaty and OAS Charter amendment reflects shifting views of regional security interests in an atmosphere of divisiveness and uncertainty about the future of the Inter-American System. The present analysis of the constitutional bases for hemispheric security is placed in the larger context of regional organization politics, relating security concepts to general problems and trends that have stimulated OAS Charter and Rio Treaty reform and have been reflected in the revised documents.

FRAME OF REFERENCE

Revision of the Inter-American System is nothing new. Institutional

reform and change have almost always been under consideration; constitutional bases have never been fixed or static. Furthermore, the present era of reform is the continuing expression of disunity and lack of cohesion among the member states. However, this continuity of institutional change and disunity does not detract from the seriousness of today's situation or decrease doubts about the future of the Inter-American System, particularly of its mutual security functions.

The current process of amendment reflects the divergence of fundamental interests between the United States and most of Latin America and the ambivalent views of members of the Inter-American System toward each other. Nevertheless, Latin American and US adherence to that system has been sustained despite diverging interests and ambivalent perceptions, suggesting a willingness by member states to accept the limitations on their freedom of action imposed by organizational membership as the cost of certain benefits that may accrue. Their long-range national objectives have shaped their uses of the Inter-American System as a policy instrument.

The expressions of long-range US goals in Latin America often have been couched in moral rhetoric, but in fact almost always formulated in terms of the perceived realities of national security.¹ US policy has been preoccupied with three major interrelated objectives: 1) first and foremost, to prevent and exclude, as far as possible, foreign (nonhemispheric) influence and control in Latin America; 2) as a corollary to the above, to assure US leadership in the western hemisphere and domination of the Caribbean area; and, 3) also closely associated with the desire to minimize foreign activities, to encourage or develop political stability in Latin America. If these essentially security-related goals could be achieved, with Latin America insulated from nonhemispheric powers, US leadership ascendent, and Latin America relatively stable, the United States would be facilitated in pursuing more proximate goals, such as commercial interests and, from time to time, the "democratization" of Latin America. The myriad choices of policy instruments and techniques likewise are understandable in terms of how they relate to the long-range goals. To those ends, the United States, among other tactics, has attempted to unify Latin America in the formal regional organization characterized by friendly relations but under primary US influence.² The intensity of US interest in Latin America and the extent of its regional activities have varied considerably across time and according to place, depending essentially on the extent of foreign "threats" in the region.

Most Latin American states have sought to achieve as much autonomy as possible in world affairs, but their capability deficiencies have made them dependent to some degree on outsiders for protection or assistance.³ While many Latin American states stand in a dependent relationship to others, a more independent role in international politics is a serious aspiration with virtually all of them. Latin America's continuing dilemma, then, is this: how are nations to improve their capability positions and modernize their societies while preventing inordinate external influence in their economies and political systems? Given this state of affairs, they have attempted to limit the coercive actions of external states while gaining assistance from them through various tactics, including participation in international organizations. They view American regional organization as an alternative to the balance of power and a way to limit US actions while extracting rewards (especially economic) from it, by pooling their own resources for bargaining purposes.

Ambivalence is a major characteristic of inter-American politics, strongly reflected in relationships within regional organization. A "push-pull" association of mutual repulsion and attraction exists among the Latin American nations themselves as well as between Latin America and the United States. Nevertheless, a great deal of cohesion has been found among the Latin Americans within the Inter-American System in their relations with the United States, even as they have disagreed among themselves over a variety of issues. The development of the Inter-American System has passed through several historical phases, marked by shifting and often conflictual aspirations among the member states, with the most prominent differences those between Latin America and the United States.⁴

The Inter-American System traces its genesis to 1889 through a direct lineage of inter-American conferences and other institutional paraphernalia, developing into a multipurpose regional organization emphasizing the principles of peaceful settlement of disputes, economic cooperation, nonintervention, mutual security, and democracy and human rights. The first phase of the regional system spanned the years from 1889, when the First International Conference of American States was held, to 1928, when the Sixth Conference revealed such bitter hostility by Latin American nations against the United States that the survival of the movement was in jeopardy. During that time, the United States was primarily interested in expanding commercial relations with Latin America, and secondarily in establishing procedures for the

peaceful settlement of inter-American disputes. The Latin American states shared to a degree US interests in trade expansion and peaceful settlement, but they viewed Pan Americanism primarily as a way to achieve security against outside intervention, first from Europe and then the United States itself. The United States would not agree to a mutual security arrangement, preferring to pursue security unilaterally. Thus, conflicting ideas about the purposes of Pan Americanism marked the first four decades of the movement.

A general harmony of interests among the American states occurred from the late 1920's until late in World War II. The principal developments involved the progressive acceptance of nonintervention by the United States between 1930 and 1936 and the building of regional security arrangements between 1938 and 1945. Most members saw mutual advantages and concurring interests in regional organization, and the period represented the most harmonious in its history.

From the end of World War II until the mid-1960's, the Inter-American System again was marked by diverging goals and conflicting relations, with a brief respite in the early 1960's. During this time the United States and Latin America completely reversed their respective views of inter-American organization from those initially held in 1889. The United States pursued primarily mutual security goals in the context of a global cold war, while Latin America used regional organization essentially to promote economic goals. Under the Alliance for Progress the United States redefined and broadened its notion of security to include economic and social concerns, resulting in a temporary convergence of US and Latin American interests.

The Inter-American System reflected broader international political patterns during the two-decade post-World War II period, as US and Latin American international orientations were fundamentally different. The United States changed its isolationism of the 1930's to an internationalism and acceptance of a primary world role going well beyond any "special relationship" with Latin America. In contrast, Latin American states maintained an essentially isolationist global political posture. The United States, making its Latin American policy consonant with worldwide cold war, viewed the region essentially in security terms, emphasizing military cooperation; Latin Americans considered economic development their main concern. By the end of World War II the United States had replaced all other foreign powers throughout Latin America as the dominant influence. The long US

effort to "insulate" first the Caribbean area and then the rest of Latin America into a sphere of influence seemed to culminate between 1945 and 1948 when the Inter-American System was formalized by the Rio Treaty and the OAS Charter, organizing the weaker Latin American states into a bloc under US leadership. Thereafter the United States attempted to transform the Inter-American System into an "anti-Communist alliance" by emphasizing regional security functions. With Latin America far behind the front lines of the cold war, the region had a low standing in US global priorities.

During the cold war, Latin Americans were well aware of the US concern about communism, but they were unable to exploit it to their benefit until the late 1950's. The Cuban defection, its alliance with the Soviet Union and exportation of guerrilla warfare to other parts of Latin America, led to substantial multilateral economic, social, and military cooperation under the Alliance for Progress. The United States simultaneously pursued unilateral anti-Communist intervention, especially in Cuba and in the Dominican Republic in 1965 (as it had in Guatemala in 1954). These unilateral efforts, along with US economic policies, led to increased Latin American dissatisfaction.

The Inter-American System entered a new evolutionary phase in the mid-1960's, characterized by a new Latin American assertiveness and reflected in OAS Charter and Rio Treaty revision. The United States has not perceived a serious security threat in Latin America, so that its interest in economic and social development has declined; that of Latin America has, if anything, accelerated. The United States also has considerably reduced its regional military programs. Balance of power thinking, especially during the Nixon-Ford administrations with foreign policy directed by Henry Kissinger, helps to account for Latin America again being of low priority in US policy calculations. With no strategic threat emanating from either a Latin American state or from a nonhemispheric state operating in the region, the United States has felt free to concentrate its efforts in other parts of the world. As US influence has waned, Latin American states have increasingly challenged the "anti-Communist alliance," expressed dissatisfaction with the "obstructionist" US role (especially toward Cuba), and stressed economic and social development. In this climate of disunity, diverging interests, and adversary relations, the OAS Charter and Rio Treaty are being revised.

The future direction of the Inter-American System is unclear, although it appears that the United States will continue to commit

relatively few resources to the Latin American region and that Latin Americans will assume the Inter-American System to disguise but not modify US power and behavior vis-a-vis their region.

THE DEVELOPMENT OF MUTUAL SECURITY CONCEPTS

Evolving Concepts. Mutual security, the principle that an attack on one is to be regarded as an attack on all, emerged as a major purpose of American regional organization in the late 1930's on the eve of World War II. Until then, the United States had refused to enter into a regional security arrangement, insisting on pursuing security unilaterally in terms of its Monroe Doctrine of 1823. The essence of the Doctrine was a US warning to Europe to keep its "hands off" all of the Americas. The Roosevelt Corollary of 1904 justified subsequent US intervention in the Caribbean region for US security purposes, but it shifted Latin American fears of aggression from Europe to the United States and focused attention within the Inter-American System on the intervention issue.

The initial development of mutual security principles—the transformation of the Monroe Doctrine from a unilateral US policy to a basis for multilateral Pan American collaboration—paralleled the resolution of the intervention issue. With Latin American hostility threatening to destroy the Inter-American System, and lacking European threats to the hemisphere, the United States abandoned the Roosevelt Corollary and joined the other American states in positing nonintervention as a part of American international law through treaties signed in 1933 and 1936. Once unilateral nonintervention was agreed upon, provisions for mutual security inevitably followed since threats of aggression could only be met in concert as a multilateral responsibility. New European threats toward the Americas were perceived as the world approached World War II.

The Inter-American Conference for the Maintenance of Peace (Buenos Aires 1936) established a rudimentary form of the "one for all and all for one" concept. It adopted the Convention for the Maintenance, Preservation, and Re-establishment of Peace (Consultative Pact) providing that "in the event that the peace of the American Republics is menaced" the members of the Inter-American System should "consult together for the purpose of finding and adopting methods of peaceful cooperation." Two years later, the Eighth International Conference of American States (Lima 1938) adopted

more definitive mutual security measures. The Declaration of Lima stated that all American states "affirmed the intention of the American Republics to help one another in case of a foreign attack, either direct or indirect, on any of them." Furthermore, the conference created the Inter-American System's first political-security organ, the Meeting of Consultation of Ministers of Foreign Affairs, to consider emergency security matters, then in the context of impending European war. The Declaration of Lima and the Meeting of Consultation (continuing today as the most important mutual security instrumentality) formed the bases for subsequent wartime inter-American security collaboration, undergoing further development and leading to the creation of additional wartime agencies.

The First Meeting of Consultation of Ministers of Foreign Affairs (Panama 1939), held soon after the German invasion of Poland, issued the General Declaration of Neutrality, defining American neutrality with regard to European war and establishing a neutrality zone around the western hemisphere. The Second Meeting of Consultation (Havana 1940), convened shortly after the fall of France, adopted the Declaration of Reciprocal Assistance and Cooperation for the Defense of the Americas. It stated that an attack by a non-American state on an American state would be considered an act of aggression against all signatory states, requiring consultation to decide on cooperative measures. The Third Meeting of Consultation (Rio de Janeiro 1942), called in pursuance of the Havana Declaration soon after the Japanese attack on Pearl Harbor, resulted in a resolution recommending that the American states sever diplomatic relations with Japan, Germany, and Italy.

Toward the end of World War II, the Special Inter-American Conference on Problems of War and Peace was held at Chapultepec Castle in Mexico, D.F., from February 21 to March 8, 1945. The conference strengthened American regionalism by deciding to base the Inter-American System on three future instruments: a treaty of reciprocal assistance, an organization charter, and a treaty on pacific settlement. The most important document agreed to at Mexico, the Act of Chapultepec, had to do with mutual security. It incorporated and expanded the principles of past agreements, providing that an attack against an American state would be considered an attack against all, and for consultation in cases of attack to decide on measures of collective defense and the imposition of sanctions. Two new concepts were adopted: 1) an attack from any source (i.e., from an American state

inside the hemisphere as well as a non-American state from the outside) constituted aggression, triggering mutual security procedures; and 2) the use of armed force was a possible collective sanction. The Act of Chapultepec was valid only for the duration of World War II, but mutual security principles and practices developed between 1936 and 1945 were considered useful enough that the conference proposed their retention in continuing form, authorizing the drafting of a permanent treaty of reciprocal assistance.

The Rio Treaty. The Inter-American Conference for the Maintenance of Continental Peace and Security, held near Rio de Janeiro from August 15 to September 2, 1947, resulted in the Inter-American Treaty of Reciprocal Assistance (the Rio Treaty, also known as the Rio Pact). The Rio Treaty went into effect on December 3, 1948, upon the ratification of the required two-thirds of the 20 signatory states. The Rio Treaty was the first permanent collective defense treaty entered into by the United States and served as a guide for other arrangements during the cold war. It outlines the principles and procedures of inter-American mutual security.

The Rio Treaty states the proposition that an attack by any state against an American state shall be considered an attack against all American states.⁵ It distinguishes between aggression occurring within and outside a designated zone defining the western hemisphere, including Alaska but not the Hawaiian islands; Canada and Greenland (a part of Denmark) are embraced, consequently receiving treaty protection even though not signatories. The treaty further distinguishes between armed attack and other forms of aggression, specifying collective responses called for under various circumstances, providing for certain types of required assistance in the case of armed attack within the zone and, in cases of armed attack outside the zone or other forms of aggression inside or outside the zone, for consultation to decide whether or not to respond and if so in what manner.

Upon the request of the state or states directly attacked for application of the Rio Treaty, "the Organ of Consultation shall meet without delay for the purpose of examining those measures and agreeing upon the measures of a collective character that should be taken" (Art. 3). A meeting of the Organ of Consultation is also provided for to decide upon collective measures if any American state is "affected by an aggression which is not an armed attack . . . or by any other situation that might endanger the peace of America" (Art. 6). Measures (sanctions) applicable to aggressors, singly or in combination,

are "recall of chiefs of diplomatic missions; breaking of consular relations; partial or complete interruption of economic relations or rail, sea, air, postal, telegraphic, telephonic, and radiotelephonic communications; and use of armed force" (Art. 8). Decisions of the Organ of Consultation are taken by a two-thirds majority vote, but in cases of inter-American disputes the directly interested parties are excluded from voting (Arts. 17 and 18). Decisions requiring the application of measures are binding on all signatory states "with the sole exception that no state shall be required to use armed force without its consent" (Art. 20).

A significant ideological extension of the Rio Treaty occurred in 1954, especially important in view of its virtual repudiation in the Rio Treaty amendments of 1975. The Tenth Inter-American Conference (Caracas 1954) was a prelude to the application of the Rio Treaty in the Guatemalan situation later that year. The conference reflected the tension between the US concern about Communist subversion in Latin America and the Latin American desire for economic assistance. The United States submitted a proposal for an inter-American commitment against the "international Communist conspiracy" in Guatemala, on the supposition that Communist forces at work there threatened to bring that country under the control of a non-American power. It was also designed to organize the Inter-American System into a more general anti-Communist alliance. After vigorous debate, the US-sponsored resolution was passed. It said, in part:

The domination or control of the political institutions of any American State by the international Communist movement, extending to this Hemisphere the political system of an extra-continental power, would constitute a threat to the sovereignty and political independence of the American states, endangering the peace of America, and would call for a Meeting of Consultation to consider the adoption of appropriate action in accordance with existing treaties.⁶

The OAS Charter and Mutual Security. The Ninth International Conference of American States, held in Bogota from March 30 to May 2, 1948, agreed to an organic act, the Charter of the Organization of American States, to serve as a constitution for American regional organization as anticipated at the Mexico conference in 1945. The OAS Charter went into effect on December 13, 1951, when the fourteenth ratification was received representing two-thirds of the 20 signatory states. With regard to the relation of the Charter to the Rio Treaty,

Harold Davis noted in 1948 that the former apparently had been drawn with a view to encouraging the general ratification of the latter.⁷ Ratification of the Rio Treaty was not made a condition of OAS membership, but the Charter was tied to the regional security agreement at several points, constituting a significant lever to encourage ratification of the Rio Treaty, and to integrate mutual security principles within the Inter-American System.

Anticipating the OAS Charter, the Rio Treaty had stated in its final Art. 26 that "the principles and fundamental provisions of this Treaty shall be incorporated in the Organic Pact of the Inter-American System," which was carried out at Bogota. Art. 4 of the Charter listed the essential purposes of the OAS, including "To provide for common action on the part of [the American] States in the event of aggression;" Art. 5 included among the organization's principles that "An Act of aggression against one American State is an act of aggression against all the other American States." Chapter V (Arts. 24 and 25) of the Charter, titled "Collective Security," summarized the basic principles of the Rio Treaty and obligated OAS members to observe them. Art. 24 reiterated the idea of "one for all and all for one" in the face of aggression, and Art. 25 specified that in cases of aggression the American states "shall apply the measures and procedures established in the special treaties on the subject."⁸

The Rio Treaty and OAS Charter were also coactivated through the authorizing of regional security functions to be performed by certain OAS organs. Charter powers granted to the Meeting of Consultation of Ministers of Foreign Affairs (Chap. XI, Arts. 39-47) and the Council of the OAS (Chap. XII, Arts. 48-77, plus Art. 43), the most important of the six OAS organs, further bound the two instruments. Art. 11 of the Rio Treaty had stated that consultation was to be carried out by the Meeting of Consultation of Ministers of Foreign Affairs "or in the manner or by the organ which in the future may be agreed upon." Art. 39 of the Charter states that the Meeting of Consultation of Ministers of Foreign Affairs "shall be held in order to consider problems of an urgent nature and of common interest to the American States, and to serve as the Organ of Consultation." Arts. 40-43 specify how and when the meeting shall assemble (the Rio Treaty governs consultation procedures as such, essentially those developed at Havana in 1940). Charter Arts. 44-47 establish an Advisory Defense Committee to assist the Meeting of Consultation.

Under the Charter, the Council was a restructuring of the Governing

Board of the Pan American Union, created in 1902 by the Second International Conference of American States. The Council, composed as before of one representative from each member state, became the permanent executive body, touching the work of every other inter-American agency. The old Governing Board had had no real political power, but the Council had primarily political functions, dealing with issues affecting hemispheric peace and security. The Charter gave the Council the authority to deal with an armed attack as the Provisional Organ of Consultation under the Rio Treaty and to convoke a Meeting of Consultation of Ministers of Foreign Affairs.

Applications of Security Procedures. Regional security procedures have been applied under both the Rio Treaty and the OAS Charter, most often under the former but with reference to the latter on important occasions. Between 1948 and 1975, the Rio Treaty was applied in 18 instances to deal with perceived threats to hemispheric peace, all having to do with the Caribbean region. A series of 11 cases involved longstanding rivalries and tensions in the area. They were: 1) conflict between Costa Rica and Nicaragua, 1948-49; 2) conflict between the Dominican Republic and Haiti, 1949-50; 3) conflict between the Dominican Republic against Haiti, Cuba, and Guatemala, 1950; 4) conflict between Costa Rica and Nicaragua, 1955-56; 5) conflict between Honduras and Nicaragua, 1957; 6) conflict between Panama and Cuba, 1959; 7) conflict among Nicaragua, Costa Rica, and Honduras, 1959; 8) conflict between Venezuela and the Dominican Republic, 1960-62; 9) conflict between the Dominican Republic and Haiti, 1963-65; 10) situation between Panama and the United States, 1964; and 11) war between El Salvador and Honduras, 1969. The Rio Treaty procedures generally succeeded in halting hostilities in the above cases, if not in resolving the underlying causes of conflict.

The remaining applications of the Rio Treaty were related to US attempts to make the Inter-American System an anti-Communist alliance. One case involved the Guatemalan situation in 1954, another the Cuban missile crisis in 1962, and four the Castro-Cuban situation (1962, 1964, 1974, and 1975, the last two to consider dropping earlier sanctions). Sanctions were imposed three times: against the Dominican Republic in 1960 (the first levied under the Rio Treaty), and against Cuba in 1962 and 1964 (discussed below).

In most Rio Treaty applications, the Council of the OAS acted provisionally as Organ of Consultation. The Meeting of Consultation of Ministers of Foreign Affairs was convoked on six occasions: the Sixth

in 1960, the Eighth in 1962, the Ninth in 1964, the Thirteenth in 1969, the Fifteenth in 1974, and the Sixteenth in 1975.

Six Meetings of Consultation of Ministers of Foreign Affairs were convoked under the OAS Charter to deal with regional security issues between 1951 and 1971. They were: 1) the Fourth, in 1951, to consider the "aggressive activities of international communism" and collective hemispheric defense, in the context of the Korean war; 2) the Fifth, in 1959, to find solutions to Caribbean tensions and to reconcile intervention and human rights; 3) the Seventh, in 1960, to act against the "threat of extracontinental or intercontinental intervention" posed by the Soviet vow to aid Cuba with ICBM's; 4) the Tenth, in 1965, to deal with the Dominican civil war and create a temporary Inter-American Peacekeeping Force; 5) the Twelfth, in 1967, recommending that member states impose further sanctions against Cuba; and 6) the Fourteenth, in 1971, to deal with the US-Ecuadorian "tuna war." The Eleventh Meeting of Consultation was held 1966-67 to multilateralize the Alliance for Progress, the only meeting not dealing with security as such.

OAS CHARTER AND RIO TREATY REVISIONS

Protocol of Buenos Aires (1967). Latin American states initiated a movement in the mid-1960's to amend the OAS Charter, eventually leading to proposals to restructure the entire Inter-American System. The major impetus to constitutional revision was the increasing divergence between Latin American economic preoccupations and the US emphasis on security considerations. The Second Special Inter-American Conference (1965) committed OAS members to and established guidelines for Charter revision. After subsequent bargaining and planning, a series of Charter amendments was agreed upon and submitted to the Third Special Inter-American Conference (Buenos Aires, 1967). The conference approved the Protocol of Amendment to the Charter of the Organization of American States (Protocol of Buenos Aires), culminating several years of debate over primary organizational ends and means. The amendments entered into effect in February 1970 after two-thirds of the original 1948 Charter signatories had deposited their ratifications.

Charter amendments emphasize Latin American concerns by strengthening and broadening OAS economic and social functions, making the organizational machinery more capable of serving their

national developmental activities. They contain a substantial increase in the number of articles dealing with economic and social commitments and make existing articles more comprehensive. As a consequence, political and security functions are relatively deemphasized. Latin Americans long had felt that their economic and social welfare was being neglected by an overemphasis on hemispheric peace and security. The amendments also reflect the growing influence of Latin American nationalism on policy making and a new assertiveness vis-à-vis the United States. They have the effect of limiting the political role of the Council, which had become the prime inter-American organ and where the United States was predominant. Renamed the Permanent Council of the Organization, it no longer is the only OAS council but one of four such organs on the same level, intended to give coequal status to the major aspects of inter-American organization. The old Council's downgrading is the result of restructuring certain agencies to become the Inter-American Economic and Social Council and the Inter-American Council for Education, Science, and Culture; the Meeting of Consultation of Ministers of Foreign Affairs is on the same organizational level.⁹

While relatively deemphasizing security functions, no structural or procedural changes are made. The Permanent Council's activities are reorganized, especially in its relationship to the new General Assembly, but not with regard to security; the amendments do not modify the Meeting of Consultation. Both the Permanent Council and the Meeting of Consultation continue to carry out their original roles with reference to aggression and under the Rio Treaty, as no changes in procedure are involved in the Charter amendments. However, a majority of Latin American members at Buenos Aires in 1967 clearly indicated their lack of interest in proceeding any further in the peacekeeping field; informal Brazilian soundings and a modest Argentine proposal for military cooperation against insurgency were overwhelmingly defeated.

Thus, the amended Charter did not directly change mutual security principles, although it revealed their low status among Latin Americans and, by lessening the relative position of security agencies, the amendments, in a sense, went beyond their basically economic and social purposes. Furthermore, the Rio Treaty was not affected by the Charter amendments but, as William Manger accurately prophesied in 1967, once the Protocol of Buenos Aires was ratified, a move was initiated to modify the regional security treaty (as well as the security aspects of the Charter).

Reformism Resumed. Within only 3 years after the Charter amendments went into effect, the reform movement accelerated. It resulted in substantial concrete proposals for restructuring the entire regional system, including Rio Treaty revision and further Charter amendments. The movement has been essentially a Latin American effort to gain greater influence and perhaps control of the Inter-American System, constituting a major challenge to the US position in hemisphere affairs. The principal issue has been the proper balance between mutual security and economic cooperation and the degree of emphasis that should be placed on each set of activities.

The United States was criticized at various inter-American meetings in 1972 and 1973 for its interventionism, economic neglect, and domination of the Inter-American System. In 1973 the Third OAS General Assembly created the Special Committee to Study the Inter-American System and to Propose Measures for Restructuring It (in Spanish, *Comisión Especial para Estudiar el Sistema Interamericano*—CEESI). The language of the General Assembly resolution creating CEESI clearly reflected Latin American hostility; it called for a comprehensive review of the "outmoded" and "unrealistic" Inter-American System, noting that "there is general dissatisfaction with [its] functioning and results." The resolution then instructed CEESI as follows:

[to] conduct a comprehensive critical study, analysis, and evaluation of the philosophy, instruments, structure, and functioning of the inter-American system and propose its restructuring and the reforms and measures necessary to enable it to respond adequately to the new political, economic, social, and cultural situations in all the member states and to hemisphere and world conditions.¹⁰

CEESI's deliberations took place from June 1973 through February 1975, resulting in several proposals.¹¹ A protocol of Amendment to the Inter-American Treaty of Reciprocal Assistance was submitted to and approved by a Conference of Plenipotentiaries in San José, Costa Rica, in July 1975; it was sent to member states for ratification. Draft amendments to the OAS Charter were taken over by the Permanent Council in April 1976 for further shaping and presentation to a future conference. Revision of the 1948 Inter-American Treaty on Pacific Settlement was postponed indefinitely. Consideration of the controversial Convention on Collective Economic Security for Development was postponed until a Special Conference could be called,

although its concepts were included in the Rio Treaty and OAS Charter amendments (discussed below).

The Latin American majority view of US coercion and intransigence over the specific Cuban issue was a part of the more general complaints mentioned above, and fundamental to their drive to reform the regional security system which they regarded as "obsolete" and "outmoded." Consequently, the Cuban situation requires special mention in view of its impact on the Rio Treaty and OAS Charter revisions of 1975.

The Eighth Meeting of Consultation of Ministers of Foreign Affairs had met in Punta del Este in 1962 to consider charges that Cuba had intervened in Venezuela by aiding guerrilla forces attempting to overthrow the Caracas government. The meeting resolved to exclude the Castro government from participation in the Inter-American System, declaring that Marxism-Leninism, with which the Cuban government had officially identified itself, was incompatible with the principles and objectives of the system. Further limited sanctions were imposed by another resolution "to suspend immediately trade with Cuba in arms and implements of war of every kind." Two years later, the Ninth Meeting of Consultation (Washington, DC 1964) expanded the sanctions. Cuba was found guilty of further aggression against Venezuela and a resolution called for all members to end their diplomatic and consular activities with Cuba, to suspend all trade except for food, medicine, and medical equipment, to suspend all sea transportation with Cuba except that related to humanitarian purposes, and to warn Cuba that continued acts of aggression could invite collective armed force.

The sanctions voted in 1962 and 1964 were passed by the two-thirds majority necessary, but unanimity was lacking in both cases. After voting against the sanctions, Mexico refused to invoke them even after they were adopted, as required by the Rio Treaty and the Charter. Other members abided by those decisions, including those who had not voted in favor of sanctions, but eventually a clear sentiment developed in favor of reconsidering the Cuban case. Defections were added to that of Mexico as six additional states resumed economic and/or diplomatic relations with Cuba between 1970 and 1974.

Proposals were made within the OAS to reexamine the Cuban question but, despite changing Latin American views, the United States resisted any relaxation of Cuban isolation, for a time persuading enough Latin American states to block any easing of sanctions. The Fifteenth Meeting of Consultation of Ministers of Foreign Affairs assembled at

Quito in November 1974 to consider lifting sanctions. Twelve Latin American states voted to end them, a majority of the members but two short of the necessary two-thirds. The United States, indicating before the meeting that it no longer opposed removing sanctions, abstained. Four states voting for the resolution said later that they would reestablish relations with Cuba. Less than a year later, members of the Inter-American System released states from their obligation to enforce the 1964 sanctions.

The Sixteenth Meeting of Consultation, meeting in San José on July 29, 1975, adopted a resolution titled "Freedom of Action of the States Parties to the Inter-American Treaty of Reciprocal Assistance to Normalize or Conduct Their Relations with the Republic of Cuba at the Level and in the Form that Each State Deems Advisable." The "Freedom of Action" resolution, which immediately went into effect, allowed each member state to reestablish relations with Cuba even though the 1964 sanctions were not rescinded as such and technically continue to stand. Sixteen states, including the United States, voted in favor of the resolution, three were opposed, and two abstained. The 1962 sanctions were not addressed in a resolution and Cuba remains excluded from participation in the Inter-American System. The Meeting of Consultation met in San José immediately after the same representatives, constituted as a Conference of Plenipotentiaries, had approved Rio Treaty amendments.

Protocol of San José (1975). An analysis of the political motives behind the legal language of the San José Protocol of Amendment to the Rio Treaty reveals important issues and problems in regional security collaboration.¹² The protocol incorporates a number of ideas with precedents in prior debates and documents. To repeat, it reflects Latin America's general complaints about the balance between economic/social activities and those of a political/security nature, and with the predominant US position in regional organization, and its specific dissatisfaction with "outmoded" US-led OAS policies toward Cuba and the efforts to eliminate them.

A major concept advanced in the San José Protocol is that of "ideological pluralism" in the Inter-American System. It had been accepted previously at the Third OAS General Assembly meeting in 1973 with the adoption of a resolution accepting a "plurality of ideologies" in the hemisphere, paving the way for subsequent Meetings of Consultation to consider lifting Cuban sanctions.¹³ The Preamble of the Protocol of San José incorporates the principle of ideological

pluralism (i.e., "the plurality of political, economic, and social systems"), stating as one of the purposes "to reaffirm and strengthen the principle of nonintervention as well as the right of all states to choose freely their political, economic, and social organizations." Such a plurality of systems would have been unthinkable in the original Rio Treaty and alien to the OAS until recently. It revised anti-Communist resolutions adopted by the Inter-American System during the cold war, as in 1954 with reference to Guatemala. More recently, recall that the basis for sanctions against Cuba in 1962 (suspending Cuban participation in the Inter-American System) was that Cuba had voluntarily placed itself outside the system by officially identifying itself as Marxist-Leninist, incompatible with inter-American principles and objectives. Under the San José amendments such ideologies are now compatible with and are to be tolerated by the Inter-American System.

Certain specific Rio Treaty amendments seem to be inspired by the Cuban situation. Art. 9 recognizes additional acts constituting aggression which correlate with those instruments used by the United States against Cuba: "c) The blockade of the ports or coasts of a State by the armed forces of another State"; "f) The action of a State in allowing its territory, which it has placed at the disposal of another State, to be used by that other State for perpetrating an act of aggression against a third State"; and "g) The sending by or on behalf of a State of armed bands, groups, irregulars or mercenaries, which carry out acts of armed force against another State . . ."

Art. 20, amending the original Art. 17, requires only a "vote of absolute majority" to "rescind the measures" once taken by a two-thirds vote. While the amendment seems to refer to the sanctions imposed on Cuba in 1964, it had no real bearing on the Cuban case until ratified by enough signatories to place it into effect; in the meantime, those sanctions have, in effect, been lifted (see above). Paraguay, strongly anti-Cuban, attached a reservation regarding Art. 20, saying that decisions requiring a two-thirds vote for adoption should also require a two-thirds vote to rescind them.

Some amendments seem to be divorced from the Cuban issue and from Latin American hostility toward the United States. For example, Art. 3 limits the commitment to collective response against armed attack: "... an armed attack by any State against a State Party [not any American State as in the original] shall be considered an attack against all the States Parties . . ."

The most controversial aspect of the San José Protocol, and of CEESI's work leading to its adoption, is the concept of collective economic security for development, the idea that principles underlying inter-American political and security cooperation should also apply to economic and social activities. It had been proposed at inter-American meetings in 1960 and 1965, but not sufficiently supported for adoption.¹⁴ The idea was included in the Consensus of Vina del Mar issued by the Latin American Coordinating Committee (CECLA) in 1969.¹⁵ The Fourth General Assembly Meeting in 1974 had adopted a resolution instructing CEESI to give priority "to inter-American cooperation for integral development."¹⁶ The concept is included in the amended Rio Treaty in its preamble and Art. 11, the latter providing that "the High Contracting Parties recognize that, for the maintenance of peace and security in the Hemisphere, collective economic security for development of the member states must also be guaranteed through suitable mechanisms to be established in a special treaty." Similar language is used in paragraph 4 of the Preamble.

The United States is strongly opposed to the concept of collective economic security. The United States alone had opposed its inclusion during CEESI's deliberations, arguing that it could not accept "a concept which remains undefined." In signing the protocol of San José, the United States attached a reservation stating that it "accepts no obligation or commitment to negotiate, sign, or ratify a treaty or convention on the subject of collective economic security." The thrust of the US position is that the ideas of collective economic security and integral development are too abstract and go undefined, and that their inclusion in the Rio Treaty is inappropriate since no relationship existed between collective and economic security. Peru retorted that "security is founded in development, and that without development there is no security;" consequently, it was necessary to "redefine what economic aggression is, and what constitutes a legitimate individual or collective economic defense mechanism."¹⁷ The US delegation stated, however, that the Conference "on balance was a very successful meeting." It felt that in general the amendments did not fundamentally alter the Rio Treaty, although "the article on collective economic security represented an unfortunate detraction from the Protocol's balance and good sense."¹⁸

Draft OAS Charter Amendments. Certain provisions of the proposed Charter amendments¹⁹ relating to collective security may be listed without discussion, since they reiterate a number of ideas included in

previous debates and in the San José Protocol, already mentioned above. Chapter I of the amended Charter, titled "Nature and Purposes," and Chapter II, "Principles," both include collective security concerns but clearly emphasize economic and social development. They also promote the idea of collective economic security and integral development (Arts. 1, 2.c, and 3.bis). Those ideas are also found in Chapter VI, "Collective Security," Art. 28-A (a new article), in Chapter XXV, "Transitory Provisions," New Article [sic.], and, briefly, in other places here and there.

The concept of ideological plurality is included in Art. 3.d under "Principles." It reads as follows:

Every state has the right to choose, without external interference, its political, economic, and social system and to organize itself in the way best suited to it, and has the duty to abstain from intervening in the affairs of another State. Subject to the foregoing, the American States shall cooperate fully among themselves independently of the nature of their political, economic and social systems.

Other linkages between the Charter and the Rio Treaty have some differences in language but remain essentially the same in substance as in the 1967 Charter, as Chapter V on "Collective Security." No structural or procedural changes affecting existing collective security activities are found for the Permanent Council (Chapter XIV) or the Meeting of Consultation (Chapter XII).

At the Sixth OAS General Assembly in June 1976, Secretary Kissinger sharply criticized the CEESI plan "to reform, restructure and modernize the OAS," but on grounds other than collective security reasons. He said this:

The results of that effort are disappointing. A proposed new draft of the Charter of the OAS has emerged from the Permanent Council. I regret to say that it is one that our government could neither sign nor recommend that our Senate ratify. It includes prescriptive and hortatory statements of general principle which are as poorly defined as they are ominous. No effort is made in the new Charter draft to come to grips with the need to modernize or improve the structure of the Organization.²⁰

Thus, the US State Department has indicated that it will seek ratification of the Rio Treaty amendments, but not that of the Charter amendments in their present form.

CONCLUSION

Some tentative comments may be made about the probable future of regional security in the changing Inter-American System. American mutual security principles and mechanisms reflect larger problems in inter-American relations and cannot be isolated as such. In terms of these larger problems, security issues have become secondary, sometimes peripheral, in importance to most members. Latin American dissension, stemming from their primary concerns with economic development, dissatisfaction with US regional dominance, and impatience over the Cuban issue, is clearly reflected in the move to reform and restructure the Inter-American System. US policy places a low priority on the Latin American region in general, essentially because it perceives no security threat there.

As in past periods of inter-American crisis, the hope is expressed that the Pan American spirit, including in security cooperation, could be revived, and the regional alliance repaired, if the United States would simply pay more attention to Latin America through increased efforts and goodwill. But the present crisis has revealed cleavages that are not amenable to cosmetics. Security consultation, especially, is not the point. Institutional tinkering with consultative mechanisms does not touch the core of the problem in the absence of real compromise in the positions of contending parties. On the other hand, security collaboration will not disappear. While it is now subordinate to economic and social development efforts for the long term, it is not irrelevant. The United States says it can live with most of the recent collective security changes and most of Latin America does not want to live without the traditional commitments.

Latin Americans want to be politically free of the United States, yet most recognize the need for various forms of US assistance. The Latin American emphasis on economic and social development and more leverage in the Inter-American System has been confirmed; but inter-American organization continues to be a way for them to try to constrain the United States while extracting rewards from it. They seem to have concluded that without some sort of multilateral consultative commitment, Latin America might be faced with even more US interventions after the fact; it is better not to encourage the United States to react unilaterally to security issues. Furthermore, without a security structure they would have difficulty in concerting their own response. The outcome of the voting at San José to a formal Peruvian

proposal effectively ending the inter-American security system is instructive: while no Latin American states were opposed, only 2 were in favor and 18 abstained.²¹ I read this as a low-cost protest signalled to the United States.

Inter-American relationships have been reduced to the smallest possible core of common interests and mutual effort. Yet mutual security principles have not fundamentally changed. The procedures are somewhat more restrictive and the anti-Communist alliance has been refuted, but commitments have not essentially altered. Rather, collective security has been relatively downgraded in status within American regional organization. The most important new concept, and major area of disagreement, is that of collective economic security, the Latin American-sponsored linkage between traditional mutual security and their present primary concerns. I suspect that as the Convention on Collective Security takes shape the concept will become better defined and its provisions softened enough to gain US acceptance, since inter-American economic security is meaningless without US participation.²²

The United States, for its part, would do well to heed Robert Burr's still-relevant words written in 1967 that referred to the erroneous US assumption "that Latin American nations are primarily or exclusively cogs in the machinery of United States security" as "inimical to United States interests because it is both unrealistic and repugnant to the Latin American nations."²³ Furthermore, if ideological plurality is acceptable in the world at large then, logically, it is in inter-American affairs (in any event, it is futile to resist further). It is also in the US interest to emphasize organizational economic efforts designed to alleviate the instability of a world in which the rich get richer and the poor, poorer. Finally, inter-American problems in general are best approached by nations pursuing solutions within some common framework and shared discussions therein.

ENDNOTES

1. For an ends-means analysis of the Latin American policy of the United States, see G. Pope Atkins, *Latin America in the International Political System*, New York: The Free Press, 1977, Chapter 4.

2. Davis in Harold Eugene Davis and Larman C. Wilson, *Latin American Foreign Policies*, Baltimore: The Johns Hopkins Press, 1975.

3. Atkins, *Latin America in the International Political System* (1977), Chapter 2, discusses Latin American foreign policy ends and means.

4. The remainder of this section is taken from *Ibid.*, pp. 311-12; the bibliographic comment, pp. 349-50, refers to the most important sources on the Inter-American System, including the subject of regional security. See Wilson in Davis and Wilson, *Latin American Foreign Policies* (1975), Chapter 3, for an analysis of the Inter-American System from the perspective of Latin American-US interest convergence and divergence.

5. For text of the treaty, see Pan American Union, *Inter-American Treaty of Reciprocal Assistance*, . . . , Treaty Series 8, OEA/Ser. A/1 (English), Washington, DC, 1961.

6. The entire text is in US Congress, House, Committee on Foreign Affairs, *Inter-American Relations: A Collection of Documents* . . . , 93d Cong., 1st Sess. (1973), pp. 199-200.

7. Harold E. Davis, "The Charter of the Organization of American States," *The Western Political Quarterly*, I, December 1948, p. 439.

8. Pan American Union, *Charter of the Organization of American States*, . . . , Treaty Series 1, OEA/Ser. A/2 (English), Washington, DC, 1957.

9. See General Secretariat, Organization of American States, *Charter of the Organization of American States as Amended by the Protocol of Buenos Aires in 1967*, Treaty Series No. 1-C, OEA/Ser. A/2, Washington, DC, 1970. General analyses of the 1967 Charter amendments, presenting differing views and conclusions, are William Manger, "Reform of the OAS: The 1967 Buenos Aires Protocol of Amendment to the 1948 Charter of Bogota, An Appraisal," *Journal of Inter-American Studies*, 10, January 1968, pp. 1-14; John C. Dreier, "New Wine and Old Bottles: The Changing Inter-American System," *International Organization*, 22, Spring 1968, pp. 477-93; M. Margaret Ball, "New Format, Old Problems: The OAS Under the Revised Charter," *Annals of the Southeastern Conference on Latin American Studies*, 3, March 1972; and Jerome Slater, "The Decline of the OAS," *International Journal*, 24, Summer 1969, pp. 497-506.

10. CEESI, I, pp. 1-2 (see following note for full citation).

11. A complete report of CEESI's deliberations and proposals is contained in Pan American Union, *Documents Prepared by the OAS Special Committee to Study the Inter-American System and to Propose Measures for Restructuring It*, 12 vols., 1973-75.

12. The English text of the Protocol of San Jose is presented as an OAS Document: *Protocol of Amendment to the Inter-American Treaty of Reciprocal Assistance*, OEA/Ser. K/XXIII.1.1., CPTIAR/doc. 38/75 rev. 3, 1975. It is conveniently found in the *OAS Chronicle*, 10, August 1975, pp. 2-4.

13. *Alliance for Progress Weekly Newsletter*, April 23, 1973, p. 2.

14. CEESI, IV, p. 332.

15. US Congress, *Inter-American Relations* (1973), pp. 262, 264.
16. CEESI, XII, p. 102.
17. CEESI, II, p. 360.
18. US Department of State, *Report of the United States Delegation to the Conference of Plenipotentiaries . . .* (1975), p. 12.
19. For the text in English, see OAS Permanent Council, *Amendments to the Charter of the Organization*, OEA/Sr. G CP/doc. 499/75 rev. 28, April 2, 1976.
20. Quoted by Larman C. Wilson, "The Transition of the Inter-American System: The Latin American Challenge to the U.S.," paper presented at the Midwest Association for Latin American Studies, October 8, 1976, citing OAS Permanent Council working document dated July 6, 1976. I have benefitted greatly from Professor Wilson's paper, a thorough analysis of the entire reform movement from the mid-1960's to 1976, with appropriate historical background.
21. Henry H. Han, "Question of Sanction Against Cuba, Rio Treaty Amendment and the Prospects of Inter-American Peace," paper presented at the International Studies Association, February 24, 1976.
22. This conclusion is shared with Wilson, "The Transition of the Inter-American System" 1976, p. 40.
23. Robert N. Burr, *Our Troubled Hemisphere*, Washington, DC: The Brookings Institution, 1967, p. 75.

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